IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

THURSDAY, THE SEVENTH DAY OF APRIL
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION No. 33848 of 1997

Between:

Shiva Labour Contract Co-operative Society,Ltd., Rep.by its President V.Narayana,S/o Parasuramulu R/o Kamanpur Village,

Karimnagar Mandal and District

..... PETITIONER

AND

1 The Superintending Engineer, R&B Circle
Karimnagar.
2 The Superintending Engineer, Panchayatraj Circle
Karimnagar.
3 The Superintending Engineer, Irrigation Circle,
Warangal.
4 The Superintending Engineer, Irrigation Circle,
Nirmal.
5 The Superintending Engineer, Irrigation Circle,
Nizamabad.
6 The Superintending Engineer, R&B Circle,
Nizamabad.
7 The Superintending Engineer, Panchayatraj Circle,
Nizambad
8 The Superintending Engineer, Sriramsagar Project,
Huzurabad.
9 The Superintending Engineer, G.V.C.Circle,IV.L.M.D.Colony,
Karimnagar.
10 The Superintending Engineer, Dharoor Lamp,
Sriramsagar Project Jagityal.

(Dismissed for default as per Court order dt.7-9-2000, as against R.R2 & R10)

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court will be pleased to issue an appropriate writ, or order or direction particularly in the nature of a Writ of Mandamus declaring the action of the respondent insisting the petitioner society for payment of earned money deposit commercial tax clearance certificates, or imposing any condition or experience in connection, with all tender notices issued as arbitrary illegal, and unreasonable and consequently direct the respondents not to insist payment of earnest money deposit, commercial tax clearance certificates from the petitioners herein at the time of allotment to all tender notices irrespective of condition or experience disregarding district, in which ever they register, in the interest of justice and equity otherwise the petitioner will be put to great loss hardship and loss.

Counsel for the Petitioner : Mr.V.SATYANARAYANA (not present)

Counsel for Respondents : G.P. FOR PANCHAYAT RAJ & RURAL DEV.

The Court made the following :

ORDER:

The petitioner filed this writ petition seeking to declare the action of the respondents in insisting him for payment of earnest money deposit upto any value of the work and production of commercial tax clearance certificate and experience certificate at the time of allotment of works or issuance of tender schedules in connection with all tender notices issued on or after 17.12.1997, as arbitrary and illegal, and consequently to direct the respondents not to insist on furnishing earnest money deposit.

When the matter came up today for hearing, none appears for the petitioner as well as the respondents.

The main relief and the interim relief sought for by the petitioner is one and the same. This Court while admitting the writ petition by order dated 18.12.1997 granted interim direction in W.P.M.P.No. 39828 of 1997. The learned counsel for petitioner submits that in view of the said interim directions, no orders are required to be

passed in this writ petition and it has become infructuous.

Therefore, the writ petition is dismissed as having become infructuous. There shall be no order as to costs.

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N.V.RAMANA, J

Date: 7.4.2005

DA/SVV

To

1 The Superintending Engineer, R&B Circle
Karimnagar.
2 The Superintending Engineer, Panchayatraj Circle
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3 The Superintending Engineer, Irrigation Circle,
Warangal.
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Sriramsagar Project Jagityal.

11 Two CCs to the G.P. for Panchayat Raj, High Court Buildings,

Hyderabad (OUT).

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